

TUSA P.C.

ATTORNEYS AND COUNSELORS AT LAW
www.tpcnylaw.com

Southold
New York City

Joseph S. Tusa
Attorney at Law
joseph.tusapc@gmail.com

June 9, 2021

BY ECF FILING

Honorable Rachel P. Kovner
United States District Court
for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Cymbalista v. JPMorgan Chase Bank, N.A., EDNY Case No. 20-cv-456-RPK-LB

Dear Judge Kovner:

We represent the Plaintiffs Rachel and Ariel Cymbalista in this settled class action. On May 25, 2021, following referral from this Court, the Honorable Lois Bloom issued a Report and Recommendation that the Plaintiffs' unopposed motion for preliminary approval of the parties' class action settlement be granted. Dkt. 51 (*Cymbalista v. JPMorgan Chase Bank, N.A.*, 2021 U.S. Dist. LEXIS 99093 (May 25, 2021)). The 14-day deadline to file any objection to that Report and Recommendation has passed, and no party (or non-party) has filed an objection.

After conferring with counsel for defendant JPMorgan Chase Bank, N.A., the parties jointly and respectfully request that the Court adopt the Report and Recommendation granting preliminary approval of the parties' *Settlement Agreement and Release*. If helpful to the Court, a proposed Order granting preliminary approval of that agreement and the proposed notices to the settlement class were included with the parties' motion submission. *See* Dkt. 50.

Respectfully yours,



Joseph S. Tusa

Oren Giskan
Michael Jaffe
GISKAN SOLOTAROFF & ANDERSON LLP

Roger Heller
**LIEFF CABRASER HEIMANN
& BERNSTEIN LLP**

cc: Counsel for JPMCB (by ECF filing)